

United States Bankruptcy Court  
Eastern District of New York

Diatomite Corporation of America,  
Plaintiff  
Cipollone,  
Defendant

Adv. Proc. No. 21-01059-nhl

## CERTIFICATE OF NOTICE

District/off: 0207-1

User: admin

Page 1 of 2

Date Rcvd: Aug 25, 2022

Form ID: pdf000

Total Noticed: 4

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 27, 2022:**

Recip ID	Recipient Name and Address
aty	+ Caroline P Gately, Esq, Venable LLP, 600 Massachusetts Avenue, NW, Washington, DC 20001-5358

TOTAL: 1

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
db	+ Email/Text: dpick@picklaw.net	Aug 25 2022 18:19:00	Virginia True Corporation, c/o Pick & Zabicki LLP, 369 Lexington Avenue, 12th Floor, New York, NY 10017-6527
ust	+ Email/Text: ustregion02.br.ecf@usdoj.gov	Aug 25 2022 18:18:00	Office of the United States Trustee, Eastern District of NY (Brooklyn Office), U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, NY 10014-4811
ust	+ Email/Text: ustregion02.br.ecf@usdoj.gov	Aug 25 2022 18:18:00	United States Trustee, Office of the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Room 1006, New York, NY 10014-7016

TOTAL: 3

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
dft		Anthony Cipollone
pla		Diatomite Corporation of America
dft		Domenick Cipollone
ust	*+	United States Trustee, Office of the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Room 1006, New York, NY 10014-7016

TOTAL: 3 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

**I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 27, 2022

Signature: /s/Gustava Winters

District/off: 0207-1  
Date Rcvd: Aug 25, 2022

User: admin  
Form ID: pdf000

Page 2 of 2  
Total Noticed: 4

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 25, 2022 at the address(es) listed below:

Name	Email Address
Douglas J Pick	on behalf of Debtor Virginia True Corporation dpick@picklaw.net ezabicki@picklaw.net
Rishi Kapoor	on behalf of Plaintiff Diatomite Corporation of America rkapoor@venable.com nylitigationdocketing@venable.com
Stephen Z Starr	on behalf of Defendant Anthony Cipollone stephenstarr@starrandstarr.com starrsr86924@notify.bestcase.com
Stephen Z Starr	on behalf of Defendant Domenick Cipollone stephenstarr@starrandstarr.com starrsr86924@notify.bestcase.com

TOTAL: 4

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

Virginia True Corporation,

Debtor.

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)  
) Chapter 11  
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)  
) Case No. 19-42769 (NHL)  
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)  
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Virginia True Corporation,

Plaintiff.

vs.

Anthony Cipollone and Domenick Cipollone,

Defendants.

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)  
) Adv. Pro. No. 19-01118 (NHL)  
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)  
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Anthony Cipollone and Domenick Cipollone,

Plaintiffs.

vs.

Diatomite Corporation of America,

Defendant.

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)  
) Adv. Pro. No. 21-01042 (NHL)  
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Diatomite Corporation of America,

Plaintiff.

vs.

Anthony Cipollone and Domenick Cipollone,

Defendants.

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) Adv. Pro. No. 21-01059 (NHL)  
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**ORDER GRANTING APPLICATION FOR SUBSTITUTION OF COUNSEL**

Upon the application filed in Case No. 19-42769 (NHL) [Docket No. 370] (the “Application”)<sup>1</sup> of Diatomite Corporation of America for entry of an order, as more fully described in the Application, substituting Joseph A. Pack, Esq. (“Pack”) and the law firm of Pack Law, P.A. (“Pack Law”) in place and instead of Rishi Kapoor, Esq. and the law firm of Venable LLP, and relieving Rishi Kapoor, Esq. and the law firm of Venable LLP from further responsibilities in this case or in any associated cases and adversary proceedings in which Mr. Kapoor or Venable LLP has appeared as Diatomite’s counsel; and upon consideration of the Pack Declaration submitted in support of the Application; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding and the Application in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and good and sufficient notice of the Application having been given and no other or further notice being required; and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Application is GRANTED as set forth in this Order.
2. Pack and the law firm of Pack Law are substituted for Rishi Kapoor, Esq. and the law firm of Venable LLP as counsel of record for Diatomite Corporation of America in the above-captioned chapter 11 case and in the following adversary proceedings:

*Virginia True Corporation et al. v. Anthony Cipollone and Domenick Cipollone*,  
Bankr. E.D.N.Y. No. 19-01118-NHL;

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Application.

*Anthony Cipollone and Domenick Cipollone v. Diatomite Corporation of America*,  
Bankr. E.D.N.Y. No. 21-01042-NHL; and

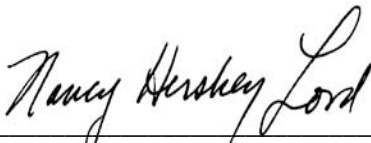
*Diatomite Corporation of America v. Anthony Cipollone and Domenick Cipollone*,  
Bankr. E.D.N.Y. No. 21-01059-NHL.

3. Rishi Kapoor, Esq. and the law firm of Venable LLP are relieved of all further obligations in this case and the adversary proceedings.

4. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

**Dated: August 24, 2022**  
**Brooklyn, New York**



  
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**Nancy Hershey Lord**  
**United States Bankruptcy Judge**